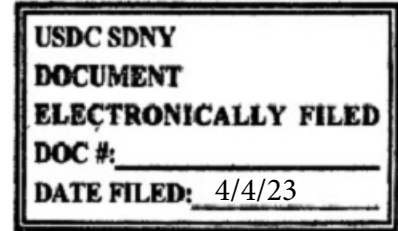




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MEMO ENDORSED

April 3, 2023

Via ECF

Hon. Barbara C. Moses, United States Magistrate Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse

Re: *Kaloshi et al v. West Village Oasis, Inc. et al.*, 22 CV 4593 (ALC) (BCM)

Your Honor:

This firm represents the plaintiffs in the above-referenced action. On behalf of Mr. Tenezaca, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, I move to extend the time to file the motion to dismiss as set forth in the March 9, 2023, order from today to April 6, 2023. There have been two such prior motions, each granted. As discussed in my last motion, I am awaiting Mr. Tenezaca to return his signed declaration to me for filing. About two hours ago, I believe Mr. Tenezaca unsuccessfully attempted to do so by email. I contacted him to ask him to try again, but I have not heard back. While I am hopeful to have the necessary papers to file tomorrow, I am asking for an extension through April 6 to allow me sufficient time to either file the motion or seek further relief if there is a problem doing so and, for example, I need to arrange to meet Mr. Tenezaca in person.

Defendants' counsel does not consent to this motion, stating, in her words, that this has dragged on too long. I have asked whether the defendants would propose an alternative relief, but I have not heard back. Given their position, I propose in the alternative that the defendants bring the motion, to which Mr. Tenezaca would then respond, if that is preferable to the defendants and the Court than a further extension of time.

I thank the Court for its time and consideration.

Respectfully submitted,

/s/

Brandon Sherr

Application GRANTED. However, the Court agrees that this has dragged on too long. No further extensions will be granted. If the motion is not on file by April 6, 2023, Rule 16(f) sanctions may be imposed. SO ORDERED.

Barbara Moses
United States Magistrate Judge
April 4, 2023